## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

GARY D. HORTON,	)
Plaintiff,	)
vs.	) Case No. CIV-11-0943-F
MICHAEL J. ASTRUE,	)
COMMISSIONER OF SOCIAL	)
SECURITY,	)
	)
Defendant.	)

CADARD HODEON

## **ORDER**

Plaintiff Gary D. Horton applied for supplemental security income and insurance benefits based on alleged disability. The Social Security Administration denied the applications based on a determination at step two of the five-step administrative process. Mr. Horton then brought this action to challenge the Social Security Administration's determination at step two.

Magistrate Judge Robert E. Bacharach issued a Report and Recommendation on June 27, 2012, doc. no. 17, recommending that the court affirm the Social Security Administration's decision at step two. In his Report, the magistrate judge advised the parties of their right to object to the Report and Recommendation on or before July 16, 2012. He also advised them that failure to make timely objection to the Report waives their right to appellate review of the suggested ruling. Neither party has filed an objection to the Report, and neither party has requested an extension of time within which to file any objection to the Report.

With no objection being filed, and having reviewed the Report, the record, and the relevant arguments and authorities, the court finds that no purpose would be Case 5:11-cv-00943-F Document 18 Filed 07/24/12 Page 2 of 2

served by setting out any further analysis here and that the Report should be adopted in its entirety.

The court **ACCEPTS**, **AFFIRMS**, and **ADOPTS** the findings and recommendations of Magistrate Judge Robert E. Bacharach as stated in his Report and Recommendation. The Social Security Administration's decision at step two is **AFFIRMED** and benefits are denied.

Dated this 24<sup>th</sup> day of July, 2012.

STEPHEN P. FRIOT

UNITED STATES DISTRICT JUDGE

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